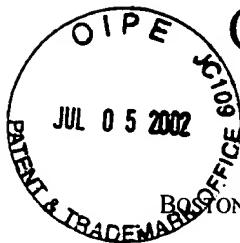


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* Admitted in NY only
** Admitted in TX only

June 25, 2002

Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/768,189
Title: Tetracycline Compounds for Treatment of *Cryptosporidium Parvum*
Related Disorders
Inventor: Stuart B. Levy and Mark L. Nelson
Filed: January 23, 2001
Our Ref: PKZ-021CP

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Restriction Requirement (3 pages); and
2. An acknowledgement postcard.

Please charge any underpayments or credit any overpayments to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on:

June 25, 2002

Date

Elizabeth A. Hanley, Esq., Reg. No. 33,505

Respectfully submitted,

LAHIVE & COCKFIELD, LLP


Elizabeth A. Hanley, Esq.
Registration No. 33,505

EAH:CMS:bjj
Enclosures

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1616

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



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cm
6-25-02

JUL 05 2002 In re the application of: Stuart B. Levy et al.

Serial No.: 09/768,189

Filed: January 23, 2001

For: TETRACYCLINE COMPOUNDS FOR TREATMENT OF
Cryptosporidium parvum RELATED DISORDERS

Attorney Docket No.: PKZ-021CP

Commissioner for Patents
Washington, D.C. 20231

Group Art Unit: 1616

Examiner: Barbara Badio

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7-12-02

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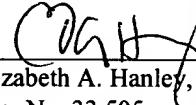
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Certificate of First Class Mailing (37 CFR 1.8(a))
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

June 25, 2002

Date of Signature and of Mail Deposit

By:


Elizabeth A. Hanley, Esq.
Reg. No. 33,505
Attorney for Applicants

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the Office Action mailed from the U.S. Patent and Trademark Office on May 30, 2002 (Paper No. 6) for the above identified patent application. No extension of time is required at this time.

Response to Restriction Requirement under 35 U.S.C. § 121

The Examiner has requested restriction under 35 U.S.C. § 121 to one of the following inventions:

Group I: claims 1-70, (drawn to a method of controlling/treating *Cryptosporidium parvum* utilizing compounds of formula I wherein X is carbon);

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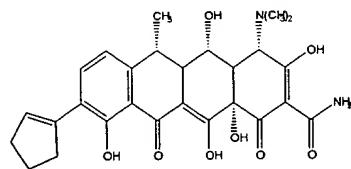
TECH CENTER 1600/2900

- Group II: claims 1-70, (drawn to a method of controlling/treating *Cryptosporidium parvum* utilizing compounds of formula I wherein X is sulfur);
- Group III claims 1-70, (drawn to a method of controlling/treating *Cryptosporidium parvum* utilizing compounds of formula I wherein X is nitrogen);
- Group IV: claims 1-70, (drawn to a method of controlling/treating *Cryptosporidium parvum* utilizing compounds of formula I wherein X is oxygen);
- Group V: claims 1-70, (drawn to a method of controlling/treating *Cryptosporidium parvum* utilizing compounds of formula I not covered by Groups I-IV);
- Group VI: claims 71-77, (drawn to a composition and compound as defined by claims 72 and 77); and
- Group VII: claims 71-77, (drawn to a composition not covered by Group VI).

Applicants hereby elect the Group I invention (claims 1-70, drawn to methods of controlling/treating *Cryptosporidium parvum* utilizing compounds of formula I wherein X is carbon), without traverse.

Response to Species Election Requirement

The Examiner has required Applicants to elect, under 35 U.S.C. § 121, a single disclosed compound species for prosecution on the merits. Applicants elect:



It is Applicants' understanding that the species election is for searching purposes only, and upon a finding of allowability of the elected species, the remaining species also will be searched.

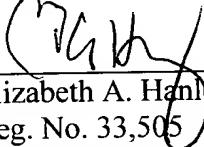
SUMMARY

It is respectfully submitted that this application is in condition for allowance. If there are any remaining issues or the Examiner believes that a telephone conversation with Applicants' Attorney would be helpful in expediting prosecution of this application, the Examiner is invited to call the undersigned at (617) 227-7400.

Date: June 25, 2002

LAHIVE & COCKFIELD, LLP
Attorneys at Law

By _____


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